

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BRIAN MILLER, *et al.*,  
Plaintiffs,

v.

COMPUTER SCIENCES CORPORATION,  
Defendant.

Civil Action No. 05-010-JJF

**DEFENDANT'S RESPONSE TO PLAINTIFFS'  
MOTION FOR EXTENSION**

Defendant, Computer Sciences Corporation ("CSC"), by and through its undersigned counsel, hereby respectfully submits this response to Plaintiffs' Motion for Extension of the Deadline For Completion of Discovery, and states as follows:

1. In their Motion, Plaintiffs misrepresented CSC's position regarding Plaintiffs' request for an additional one week to propound discovery. Plaintiffs attempt to portray CSC as stubborn and unreasonable. In fact, the timing and nature of events was reasonable and cooperative given the circumstances.

2. In its Scheduling Order, the Court generously allowed more than four months for the completion of written discovery at the parties joint request.

3. On the final day on which Plaintiffs could propound written discovery, Plaintiffs' counsel called Sarah E. DiLuzio, local counsel for CSC, and left two voicemail messages. Plaintiffs' counsel stated that he had forgotten about the discovery deadline and requested an extra week to serve discovery.

4. Ms. DiLuzio was in Dover, Delaware for oral argument before the Delaware Supreme Court when Plaintiffs' counsel called and left the messages. She did not receive Plaintiffs' counsel's phone messages until the early afternoon. As local counsel in this matter, Ms. DiLuzio wanted to contact CSC's lead attorney, Larry Seegull, before responding to Plaintiffs' request, and conveyed this plan to Plaintiffs' counsel. Mr. Seegull was in Washington State on business, and Ms. DiLuzio had difficulty getting in touch with him.

5. When Mr. Seegull was appraised of the situation, he felt compelled to contact his client, CSC, prior to agreeing to Plaintiffs' request, especially given that the Court had allowed more than four months for the completion of written discovery, that Plaintiffs waited until the last possible day to request an extension, and that Plaintiffs' counsel did not seem to have any reasonable grounds for the delay.

6. Under the circumstances, CSC did not feel comfortable agreeing to a modification of this Court's Scheduling Order without the Court's involvement. Thus, CSC informed Plaintiffs that, while it would not stipulate to a one week extension, it would not oppose Plaintiffs' motion for a one week extension provided Plaintiffs have reasonable grounds for seeking such an extension and provided that CSC is allowed an equivalent amount of extra time to respond.

7. Although CSC still questions Plaintiffs' grounds for seeking an extended discovery deadline, CSC does not oppose Plaintiffs' request for a one week extension provided that CSC is allowed an equivalent amount of extra time to respond to Plaintiffs' belated discovery.

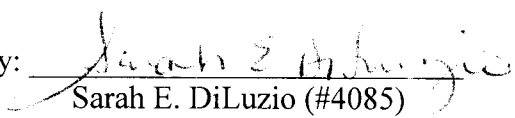
Respectfully submitted,

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Dated: September 22, 2005

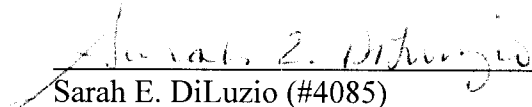
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 22nd day of September, 2005, the foregoing DEFENDANT'S RESPONSE TO PLAINTIFFS' MOTION FOR EXTENSION was hand delivered to the following attorney of record and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing, to the following and the document is available for viewing and downloading from CM/ECF:

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